

**TOWN OF NEWSTEAD - PLANNING BOARD MINUTES**  
**Newstead Town Hall - 6:30PM**  
**January 13, 2020**

MEMBERS Tom Cowan, Chairman  
PRESENT: John Potera  
Erik Polkowski  
Terry Janicz  
John Olaf  
Don Hoefler  
Andy Kelkenberg  
OTHER: Christine Falkowski, Recording Clerk  
David Miller, Code Enforcement Officer

**1-Lot Minor Subdivision – 12534 Meahl Road- Don Lavocat**

Don and Leah Lavocat own a 22-acre parcel at 12534 Meahl Road where they are currently building a house. A pole barn has already been built. They would now like to split the property for tax/utility purposes, with the home having 458' of road frontage and the pole barn 200' of frontage. The westerly portion with the pole barn is currently used for storage and for trucks. Don plans to use it as a growing field for trees, shrubs or pumpkins for Lavocat's Nursery in Clarence. This location on Meahl Road will not be for public use. Drainage plan review by Wendel was waived by the Code Enforcement Officer. Don Hoefler reviewed the drainage plan.

John Potera made a motion to waive the public hearing, seconded by Terry Janicz:

Tom	- Aye
John Potera	- Aye
Erik	- Aye
Terry	- Aye
John Olaf	- Aye
Don	- Aye
Andy	- Aye

John Potera made a motion to approve the application, seconded by Don Hoefler:

Tom	- Aye
John Potera	- Aye
Erik	- Aye
Terry	- Aye
John Olaf	- Aye
Don	- Aye
Andy	- Aye

Erie County Clerk's plat filing requirements were given to Mr. Lavocat.

**Pre-Application Conference 6-Lot Major Subdivision – Havens Road – CMK Builders**

**Jason Burford, Project Manager – GPI**

Jason Burford appeared and distributed a sketch plan. CMK purchased from Stan Tatara the 6.71-acre parcel on Havens Road, just north of the Havenwood subdivision. The parcel depth is approximately 300', and the six building lots would be 160' wide, although lot #6 would be 205' wide, allowing for a 45' easement for Kreher's, who farms the rear acreage. The homes would be set back 100', conducive to the existing homes on Havens Road. They plan to establish a ditch line for drainage and with culverts at each driveway. This property is in water district #10 unserved. They plan to extend the water line approximately 1,000' with hydrants. A P.I.P. (Public Improvement Permit) should be submitted simultaneously with the subdivision application. Mr. Burford stated they do not have a contractor as yet, but that they plan to submit by January 24<sup>th</sup>. At first glance, the water line appears to be the only obstacle. This action will be classified as a major subdivision with public improvement.

**Work Session**

**Minutes from last meeting**

Erik made a motion to approve the December 16, 2019 minutes, seconded by Terry:

- Tom - Aye
- John Potera - Aye
- Erik - Aye
- Terry - Aye
- John Olaf - Aye
- Don - Aye
- Andy - Aye

**Pending**

**Arrowhead Golf – Hotel/Apartments addition to new banquet facility - 12292 Clarence Center Road:**

Golf courses in the RA zone are permitted with a special use permit. Our Attorney has deemed that a hotel cannot be deemed an associated use. Therefore, the applicant has applied for a use variance as “hotel with 30 - 35 apartments”. The public hearing will be held on January 23, 2020 with the Zoning Board of Appeals.

**Niagara Label – 12715 Lewis Road - landscape plan:** Dave Miller is working with them to obtain the Certificate of Occupancy, including documentation that the office portion will be Phase 2 within 2 – 5 years. This item will be removed from our agenda.

**Niagara Specialty Metals - site plan application:** no action.

**Route 5 Property Separation-11358 Main:** No action; this item will be removed from our agenda.

**Solar – Brownfield Group/EDF Renewables/Storke LLC:** Some landowners have already been solicited. The Town Board has agreed to meet with this entity at their work session on February 3, 2020 at 6:45PM. Tom stated we will ensure the Town Board’s agenda is shared with the Planning Board.

**MGA Research – 13311 Main Road - site plan application:** no action.

**Kelly Schultz 11167 Main - Site Plan Application – Retail Sheds and new 3,300 Sq. Ft. Building:** no action.

**Indian Falls Road 2-lot minor subdivision – Raykowski:** Two lots are currently advertised for sale. Mr. Raykowski has been advised that subdivision approval is required, just like the 10-acre lot he sold last year. Dave reported that this property is in water district #10 unserved, and that the Town is extending the water line down Indian Falls Road this Spring.

There being no further business, John Potera made a motion to adjourn the meeting at 7:45PM, seconded by John Olaf and all approved.

Respectfully submitted;  
Christine Falkowski, Recording Clerk